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November 11, 2022

**VIA ECF**

Pamela K. Chen, U.S.D.J.  
United States District Court, Eastern District of New York  
225 Cadman Plaza East, Courtroom 4F North  
Brooklyn, New York 11201-1804

Re: *IME Watchdog, Inc. v. Gelardi, et al.*  
Case No.: 1:22-cv-1032 (PKC)(JRC)

Dear Judge Chen:

We represent defendants Safa Gelardi and IME Companions LLC and write in reply to the four-page letter submitted by plaintiff in opposition to our request for permission to move to dismiss plaintiff's defamation claim.

We write because plaintiff's letter violates your Honor's three-page limit rule and should be rejected and because plaintiff's law of the case argument ignores that Magistrate Judge Cho's minute order of 10/12/22 did not analyze the merits of plaintiff's defamation claim under New York and, more importantly, expressly recognized defendants' right to move in response to the first amended complaint. Magistrate Judge Cho's 10/12/2022 docket entry states: "By 11/4/2022, defendants shall answer, **move** or otherwise respond to the first amended complaint." (Emphasis added). We will not address plaintiff's "law of the case" argument any further since we do not believe that your Honor's Rules permit a reply. But it is clear from the plain language of Magistrate Judge Cho's minute order that his decision to permit the amendment was not intended to preclude any motion in response to plaintiff's first amended complaint.

Respectfully yours,

/s/ Jonathon D. Warner

JDW/ks  
cc: All counsel (via ECF)